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To: 'microsoft.atr(a)usdoj.gov'
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Subject: Comment on Microsoft Settlement for Public Review

To whom it may concern.

I do not believe the proposed resolution in the Microsoft v. US will discourage Microsoft from the behavior that has led to the charges of which they have been convicted.

I offer these two examples that occurred recently.

1)

Among other things, at work and as Manager of Information Services, I develop and maintain web content. In doing so I test the finished pages on both Microsoft Internet Explorer (IE) and Netscape Navigator (Netscape), both of which are installed on my workstation. Last week I upgraded IE to the latest version available at that time from the Microsoft Web Site. Prior to upgrading IE I had set Netscape to be my default browser - that is, it is used automatically when a browser is needed. Upon completion of the upgrade, the default configuration on my workstation had been changed so IE, their product, was now the default browser.

The upgrade changed my preferred default configuration of my workstation to use their product. It made these changes without asking whether or not it should make the changes nor even alerting me that the changes either would be or had been made.

2)

During installation of their operating system, Windows 98, upon choosing a custom installation, you have the option of removing the installation utilities for internet services including MSN, Microsoft's internet web service. If you choose to remove the option during installation, the installation will still install the installation utilities on the desktop.

The users selection during the installation process is clear that the services are not wanted and that the installers should not be installed, yet Microsoft ignores this selection and tries to again push their products.

I would expect that during this time, when these legal proceedings are nearing their completion, Microsoft would be on their best behavior. Yet they continue to demonstrate a disregard for the preferences of their customers and to use subversive methods to steer users to their products.

As computers and the internet continue to be more central to this nations

economy, it is imperative that the government protects the economy (and thereby the interests of its citizens) from a business that abuses the advantages of a monopolistic product. Therefore, in addition to a significant punitive judgment, Microsoft should be prohibited from any practice that gives an advantage to any of their "middleware" which utilize the advantages of having operating systems that monopolize the industry. "Middleware should include browsers, office productivity software including, but not limited to, word processors, spreadsheets, etc. as well as, and perhaps especially, any software which is utilized in the transactions for internet commerce. This prohibition, which in reality is just compliance with the law, must remain in effect for as long as Microsoft operating systems maintain their monopoly.

Any punitive judgment must be strong enough to be a true deterrent. It must be damaging to their business. Contributing their products to schools and other areas of public interest would not be punitive. Instead of being punished, they actually will use the settlement to further their domination and influence in the industry. It would be a marketing coup.

Microsoft has and continues to demonstrate complete disregard for the laws that govern them. It is imperative that a strong judgment be made to show that such behavior will not be tolerated. Anything less would send the signal that they may continue such practices with impunity.

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